

CASE PROCESSING STANDARDS ANALYSIS CIVIL TRAFFIC

National Center for State Courts Model Time Standards for Criminal Traffic and Local Ordinance:

75% within 30 days
90% within 60 days
98% within 90 days

Measurement: Filing of complaint form through disposition (e.g., dismissal, judgment)

Arizona Civil Traffic

The Arizona Case Processing Standards Steering Committee recommends that Arizona adopt the national model time standards for criminal traffic and local ordinances as follows:

75% within 30 days
90% within 60 days
98% within 90 days

- ✓ Civil local ordinance cases are excluded.
- ✓ Photo-Radar tickets are excluded.
- ✓ Parking Tickets are excluded

Measurement: Filing of Arizona Traffic Ticket and Complaint (ATTC) or by long-form complaint through disposition (e.g., dismissal, judgment).

The following may result in a stay of proceedings and the time elapsed will be excluded from the measurement: diversion, special action/appeals and stays granted pursuant to the Servicemembers Civil Relief Act.

Arizona Rules and Statutes	Timelines under Statute and Rule
Commencement of Action: A.R.S. ¹ § 28-1592(B)(1) A.R.S. § 28-1592(B)(2) A.R.S. § 28-1592(B)(2) and (4)	If a case is commenced by issuance, it shall be issued within 60 days of the alleged violation. If a case is commenced by filing, it shall be filed within 60 days of the alleged violation and shall be served within 90 days from the filing date. Within 180 days of the alleged violation if the alleged violation is under investigation in conjunction with a traffic accident. Within 1 year if in conjunction with a traffic accident resulting in death.
Traffic Ticket/Complaint Filed:	(Measurement starts when traffic ticket/complaint filed with court)
Entry of Plea: Rule 22, Ariz.R.P. Civil Traf. ²	Failure to Appear: If defendant fails to appear as required, allegations deemed admitted, judgment entered for state, sanction imposed and reported to Department of Transportation. Photo enforcement violations are not reported.

¹ Arizona Revised Statutes

² Arizona Rules of Procedure in Civil Traffic and Civil Boating Violation Cases

Arizona Rules and Statutes	Timelines under Statute and Rule
<p>Rule 10(a), Ariz.R.P. Civil Traf.</p> <p>Rule 10(b), Ariz.R.P. Civil Traf.</p>	<p style="text-align: center;">(Measurement Stops Here)</p> <p>OR <u>Admit Responsibility:</u> Enter plea in person or by mail, judgment entered for state, sanction imposed and reported to Department of Transportation. Photo enforcement violations are not reported.</p> <p style="text-align: center;">(Measurement Stops Here)</p> <p>OR <u>Deny Responsibility:</u> In person or notification in writing. Upon notice, court shall set a hearing and notify parties.</p>
<p>Notice and Discovery: Rule 11, Ariz.R.P. Civil Traf.</p> <p>Rule 12, Ariz.R.P. Civil Traf.</p> <p>Rule 13, Ariz.R.P. Civil Traf.</p> <p>Rule 15, Ariz.R.P. Civil Traf</p>	<p><u>Notice of Right to Counsel and Waiver:</u> If defendant denies allegations contained in the complaint and requests a hearing, the court shall promptly provide the defendant written notice of a hearing date. Notice of hearing shall also state that the right to be represented by counsel at the hearing is waived unless the court and state are notified in writing at least 10 calendar days prior to the hearing date.</p> <p><u>Representation by the State:</u> State need not be represented by counsel at the hearing. Absent extraordinary circumstances, the state's right to be represented by counsel at the hearing is waived unless, at least 10 calendar days prior to the hearing date or within 10 days of receipt of notice that the defendant will be represented by counsel, whichever is later, the state notifies the defendant of its election to be represented by counsel.</p> <p><u>Discovery:</u> No pre-hearing discovery shall be permitted absent extraordinary circumstances. Immediately prior to hearing, both parties shall produce for inspection any prepared exhibits, and written or recorded statements of any witness.</p> <p><u>Continuances:</u> Court may continue hearing for a period not to exceed 60 days.</p>
<p>Hearing: Rule 21, Ariz.R.P. Civil Traf</p> <p>Rule 22, Ariz.R.P. Civil Traf</p> <p>Rule 24, Ariz.R.P. Civil Traf</p>	<p><u>Default by State at Hearing:</u> If no witness excluding defendant appears at the time set for hearing, the court shall dismiss the complaint and return any deposit, unless the court for good cause shown continues the hearing to another date.</p> <p style="text-align: center;">(Measurement Stops Here Unless Continued)</p> <p><u>Default by Defendant at Hearing:</u> Defendant fails to appear as required, allegations deemed admitted, judgment entered for state, sanction imposed and reported to Department of Transportation. Photo enforcement violations are not reported.</p> <p><u>Finding or Responsible or Not Responsible:</u> If defendant found responsible, court shall enter judgment for the state and impose a civil sanction. If defendant found not responsible, the court shall enter judgment for defendant and return any deposit.</p> <p style="text-align: center;">(Measurement Stops Here)</p>